

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13827 of 2016

ORDER:

The petitioner, who is accused No.2, filed the present application under Sections 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in NDPS SC No.19 of 2015-16 on the file of the I Additional District & Sessions Judge, Rajahmundry, for the offence punishable under Section 8 (c) r/w.20 (b) (ii) (c) of NDPS Act.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

The case of the Prosecution is that on 15.07.2015 on receipt of reliable information, the Prohibition & Excise Police conducted vehicle check at Toll Plaza, Krishnavaram Village of Kirlampudi Mandal and found one Scorpio car coming from Tuni side proceeding towards Rajahmundry on NH-16. On suspicion, Police stopped, searched the vehicle and found 17 ganja polythene covers containing 68 kgs. of ganja. After following the necessary mandatory provisions, Police seized the contraband, arrested and remanded the accused to judicial custody. Basing on these allegations, present crime came to be registered.

Learned counsel for the petitioner submits that the allegations against the petitioner are false and invented for the purpose of this case. The same is opposed by the learned Additional Public Prosecutor contending that the petitioner belongs to Maharashtra State and if he is enlarged on bail, there is every likelihood of he evading the process of law.

As seen from the record, 68 kgs. of ganja was seized from the possession of the accused, which is more than commercial quantity. Having regard to the facts in issue and taking into consideration the apprehension of the learned Additional Public Prosecutor that there is every likelihood of petitioner evading the process of law, if he is enlarged on bail, I am not inclined to grant bail to the petitioner. However, as the petitioner is in jail since 15.07.2015, the trial Court is directed to complete the trial and dispose of the case as early as possible, preferably within a period of three months from the date of receipt of a copy of this order. It is made clear that in case the trial could not be completed, as directed by this Court, the petitioner is at liberty to renew his application for grant of bail before the Sessions Court, in which event, the same shall be considered, in accordance with law.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

23.09.2016
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Note : Communicate a copy of this order
to the trial Court forthwith.

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